



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

1200 Sixth Avenue, Suite 900  
Seattle, Washington 98101-3140

FEB - 5 2016

OFFICE OF  
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-101

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

**NOTICE OF VIOLATION**

Mr. Mike Kasel  
Farm Manager  
Blue Lakes Trout Farm  
113 Warm Creek Road  
Jerome, Idaho 83338

Re: Blue Lakes Trout Farm  
NPDES Permit Number IDG130008

Dear Mr. Kasel:

On behalf of the U.S. Environmental Protection Agency (EPA), I would like to express my appreciation for your time and cooperation during the May 27, 2015 Clean Water Act (CWA) inspection of Blue Lakes Trout Farm (Facility) by the Idaho Department of Environmental Quality (IDEQ) on behalf of EPA. The purpose of the inspection and subsequent EPA administrative file review was to determine the Facility's compliance with the requirements of the Clean Water Act (CWA) and the National Pollutant Discharge Eliminations System (NPDES) general permit for *Aquaculture Facilities in Idaho, subject to Wasteload Allocations under Selected Total Maximum Daily Loads*. The purpose of this letter is to notify you of the results of the IDEQ inspection and EPA administrative file review.

**REVIEW OF ADMINISTRATIVE FILES**

1. EPA reviewed the Discharge Monitoring Reports (DMRs) from February 2011 to February 2016 and found zero effluent limitation exceedances which would constitute violations of the CWA, 33 U.S.C. § 1251 *et seq.*
2. Part V.B of the Permit states that the permittee must summarize monitoring results, including influent, effluent, and net results, each month on the DMR and sign and certify all DMRs.

During EPA review of DMR data from February 2011 to February 2016, it was found that the City had failed to submit complete DMRs on four occasions. The DMRs were missing the monthly concentration totals for phosphorus. These are violations of Part V.B of the Permit. A list of these violations is enclosed (Enclosure A).

3. Part IV.D of the Permit states the permittee must prepare and submit an annual report of operations by January 20th of each year to EPA and IDEQ.

During EPA review of DMR data from February 2011 to February 2016, it was found that the Facility submitted the 2012 Annual Report late. The report was due by January 20, 2013 but was not received until February 25, 2014. This is a violation of Part IV.D of the Permit.

4. Part II.E.1 of the Permit states that all permittees with off-line settling basins that discharge directly to receiving water must conduct receiving water monitoring quarterly for ammonia, pH, and temperature upstream from the outfall.

During EPA review of DMR data from February 2011 to February 2016, it was found that the receiving water monitoring report was late three times. These are violations of Part II.E.1 of the Permit. A list of these violations is enclosed (Enclosure B).

5. On December 21, 2015, the NPDES Electronic Reporting Rule became effective. Permittees with a DMR requirement will have one year from this date to submit DMRs through NetDMR. Additional information is enclosed (Enclosure C).

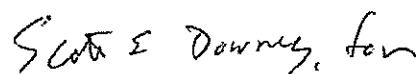
#### MAY 2015 INSPECTION

At the time of the inspection, the inspector did not note any areas of concern or violations.

Although our goal is to ensure NPDES facilities comply fully with their permits, the ultimate responsibility rests with the permittee. As such, I want to strongly encourage you to continue your efforts to maintain full knowledge of the Permit requirements, and other appropriate statutes, and to take appropriate measures to ensure compliance. Notwithstanding your response to this letter, EPA retains all rights to pursue enforcement actions to address these and any other violations.

I have enclosed a copy of the inspection report (Enclosure D). If you have any questions concerning this matter, please do not hesitate to contact Raymond Andrews of my staff at (206) 553-4252.

Sincerely,



Edward J. Kowalski  
Director

Enclosures

cc: Mr. Stephen Berry  
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